

NO. 454

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

August 5, 2004

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the President Councilmember Ron Roberts, City of Temecula. There was a quorum.

Members Present

Councilmember Ron Roberts, Temecula, President	District 5
Supervisor Hank Kuiper, Imperial County, 1st VP	
Mayor Toni Young, Port Hueneme, 2 nd VP	District 45
Councilmember Bev Perry, Brea, Immediate Past President	District 22
Supervisor Marion Ashley, Riverside County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Chris Norby, Orange County	
Supervisor Yvonne Burke, LA County	
Supervisor Judy Mikels, Ventura County	
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Deborah Robertson, Rialto	District 8
Mayor Bill Alexander, Rancho Cucamonga	District 9
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Art Brown, Buena Park	District 21
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Bonnie Lowenthal, Long Beach	District 29
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32

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Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Mike Dispenza, City of Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Councilmember Robin Lowe, Hemet	RCTC
Supervisor Charles Smith, County of Orange	OCTA

Members Not Present

Supervisor Zev Yaroslavsky, LA County	
Councilmember Jo Shields, Brawley	District 1
Mayor Ron Loveridge, Riverside	District 4
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Isadore Hall, Compton	District 26
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Mayor James Hahn, Los Angeles	At-Large
Mayor Bill Davis, Simi Valley	VCTC

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer
Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikrata, Director, Planning & Policy
Huasha Liu, Acting Director, Information Services
Shelia Stewart, Executive Assistant

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

SPECIAL PRESENTATION

President Roberts presented a plaque to Ronald Bates, for his service as Past President and a Regional Council Member. At the last Regional Council meeting, Mr. Bates announced his resignation after 35 years of public service.

3.0 CONSENT CALENDAR

Supervisor Ashely ABSTAINED (item 3.1.2) and Supervisor Norby voted NAY (item 3.1.4) The remaining consent calendar items were MOVED (Mikels), SECONDED (Perry) and UNANIMOUSLY APPROVED.

3.1 Approval Items

3.1.1 Approve Minutes of June 3, 2004

3.1.2 Contracts

- Fregonese Calthorpe
- David Evans & Associates
- AG/HP (Touchstone Lake, LLC (lease renewal)
- The Patina Group
- Civic Resource Group

3.1.3 Approval 2004-05 Membership Dues for CALCOG

3.1.4 Approve Draft Disadvantage Business Enterprise Goal and Methodology for Federal FY 2004-2005

- 3.1.5 Approve Co-sponsorship of UCLA's Extension Public Program 2004 Arrowhead Symposium
- 3.1.6 Approve Co-Sponsorship of Rail-Volution Conference to be held on Sept 18-22
- 3.1.7 Co-Sponsorship of So. California Leadership Class XV Tuition, Luncheon & Graduation
- 3.1.8 Authorize Foreign Travel for Ron Roberts & Mark Pisano to make a Presentation at a Planning Symposium in Seoul, Korea in October 2004 at the request of the Seoul Development Institute
- 3.1.9 Approval of Membership Dues for Coalition for America's Gateways & Trade Corridors for 2004
- 3.1.10 Approval to Sponsor 3rd Annual Inland Empire Transportation & Logistics Summit
- 3.1.11 Ratify SCAG Committees and Task Force

The item was continued.

3.2 Receive & File

- 3.2.1 FY 2004-2005 OWP Administrative Amendment
- 3.2.2 Contracts & PO between \$5,000 - \$25,000
- 3.2.3 Conflict of Interest Listing
- 3.2.4 SCAG Legislative Matrix

3.3 PRESIDENT'S REPORT

- 3.3.1 Announcement of Chair & Vice Chair of the Administration Committee

Councilmember Dixon was selected as Chair and Councilmember Tyler as Vice Chair.

- 3.3.2 Appointments to Committee & Task Forces

Councilmember Roberts will meet with staff to review attendance of subcommittee & task force members. Appointments will be made upon the completion of the review.

Regional Council Members to Administration Committee

Hon. Bill Alexander (SANBAG)
Hon. Harry Baldwin, *Vice Chair, TCC* (SGVCOG)
Hon. Paul Bowlen, *Vice Chair, CEHD* (GATEWAY CITIES)
Hon. Margaret Clark, *Vice Chair, EEC* (SGVCOG)
Hon. Mike Dispenza (NORTH LA COUNTY)
Hon. Richard Dixon (OCCOG)
Hon. Alta Duke (OCCOG)
Hon. Lee Ann Garcia, *Chair, TCC* (SANBAG)
Hon. Hank Kuiper, *1st Vice President and Chair, EEC* (IVAG)
Hon. Ron Loveridge (WRCOG)
Hon. Keith McCarthy (GATEWAY CITIES)
Hon. Judy Mikels, Ventura County
Hon. Paul Nowatka (SOUTH BAY CITIES)
Hon. Pam O'Connor (WESTSIDE CITIES)
Hon. Bev Perry, *Past President* (OCCOG)
Hon. Greg Pettis (CVAG)
Hon. Bea Proo (GATEWAY CITIES)
Hon. Ron Roberts, *President* (WRCOG)
Hon. Deborah Robertson, *Chair, CEHD* (SANBAG)
Hon. Sid Tyler (SGVCOG)
Hon. Dennis Washburn (LVMCOG)
Hon. Toni Young, *2nd Vice President* (VCOG)
Hon. Bob Yousefian (ARROYO VERDUGO)

Regional Council Members to Policy Committees

To TCC:

Hon. Jim Aldinger, Manhattan Beach
Hon. Thomas Buckley, Lake Elsinore

Subregional Representatives to Policy Committees

From CEHD to TCC

Hon. Don Szerlip, Redondo Beach, representing South Bay Cities

To EEC:

Hon. Art Yoon, Hermosa Beach, representing South Bay Cities

Benchmarks Task Force (Held over)

Fernando Guerra, Loyola Marymount University

Goods Movement Advisory Committee

Hon. Lou Bone, Tustin

Maglev Task Force (Held over)

Ron Bates, Private Citizen

Raven Lopez-Workman, consultant to Morongo Band of
Mission Indians

Water Policy Task Force

Hon. Steve Adams, Riverside

Regional Transportation Agencies' Coalition

Hon. Richard Dixon, Lake Forest (*Delegate*)

3.4 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano stated that his report was sent via email. The report outlined work accomplished during the month. He announced the focus of the RC meeting is the Regional Transportation Improvement Program (RTIP) which will be addressed during the TCC report.

With regard to TEA-21 Reauthorization, prior to going into recess Congress passed an extension to TEA-21. Mr. Pisano stated that this extension was not as simple to arrive at as previous ones. The highway program was extended until September 24th, while transit and safety programs were extended through September 30th. The reason for the difference is to allow Congress time before the end of the fiscal year to address high priority project funding and how lower funding amounts will affect Minimum Guarantees. Based on FY 2004 revenue data, about \$400 million may be included in the next extension to raise donor states, including California, to the 90.5% minimum guarantee for the year. This could mean an additional \$33.7 million for the State.

FY 2004 Federal Appropriations – The House Subcommittee on Transportation has “marked up” or revised its FY 2005 Appropriations bill. The bill provides more than \$89.9 billion in transportation funding. Regarding projects listed on the Regional Consensus Appropriations Request list, the only project that received an earmark was the LACMTA Eastside Light Rail Transit Project for \$60 million. This is because no highway projects were earmarked.

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 FY 2005-2006 Overall Work Program (OWP) Schedule

Councilmember Dixon, Chair stated that the Administration Committee recommended approving the schedule with the following conditions

- Include a management summary of what is in the OWP including where money is placed.
- Include a matrix for quick reference

The recommendation was MOVED (Dixon), SECONDED (Perry) and UNANIMOUSLY APPROVED

- 4.1.2 Authorize Executive Director to terminate TranStar License Agreement with the Partnership and enter into appropriate agreements including a MOU with the CTCs to finally dispose of the Rideshare and TranStar programs and assets

Additionally, the MOU is to include provisions recognizing the ability of the Partnership to provide uninterrupted services under existing contracts.

It was MOVED (Dixon), SECONDED (Lowe) and UNANIMOUSLY APPROVED.

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 Draft 2004 Regional Transportation Improvement Program (RTIP)

Hasan Ihkrata, Director, Planning & Policy stated that staff provided presentations to the Executive Committee as well as the Transportation and Communication Committee (TCC) on the Draft 2004 Regional Transportation Improvement Program (RTIP). Although staff initially anticipated an August adoption of the 2004 RTIP by the RC, additional issues concerning full funding and constructability of Transportation Control Measure (TCM) projects were identified by staff; specifically, nine projects were in question.

Additionally, the Federal Highway Administration (FHWA) submitted a letter questioning funding and implementation issues with respect to TCMs.

Mr. Ihkrata stated that in order to respond to the FHWA's concerns and to work with the SCAG region's local county transportation commissions, staff had requested additional time to resolve these issues. If short-term funding issues are not resolved by September 2, staff would not be able to recommend approval of the 2004 RTIP. The short term strategy is to reprioritize the funding of projects within each county as may be necessary. Some of the longer-term strategies include the following:

(1) Assess the possibility of transportation fund loan arrangements between counties (note: RTAC opposes this strategy); (2) Coalesce the region to seek transportation dollars through the federal appropriations process; (3) Address the state's North/South allocation of funds to ensure the SCAG region's fair share of transportation dollars; (4) Focus on local ballot initiatives to fund transportation projects, including the imposition of ½ cent sales tax measures as may be necessary (ie. Los Angeles County SB314; Orange County's Measure M expires 2011); (5) Support design/build arrangements and/or emergency procurement procedures as appropriate; and (6) Consider substitution of projects as may be necessary.

The TCC recommended that additional time be allowed to conduct inter-agency consultation for further analyses of funding and timely implementation issues as well as to pursue regional strategies for overcoming these obstacles. Further, staff would need time to respond appropriately to the FHWA's concerns about financial constraint and project completion schedules.

The recommendation was MOVED (Baldwin), SECONDED (Brown) and UNANIMOUSLY APPROVED.

Councilmember Lowe presented comments from the RTAC. She stated that the RTAC met last week to review the RTIP conformity issues. She indicated that all counties were represented except for Los Angeles. Councilmember Lowe noted RTAC members frustration over MTA not being represented. RTAC would not make specific recommendations on the RTIP. She stated that the RTAC was requesting that RTAC meet at the next CEO meeting on August 20th, and that each CTC and SCAG have elected official leadership at that meeting.

4.3 Energy & Environment Committee (EEC) Report

4.3.1 Resolution on Building Energy Efficiency

Continued for one month.

4.4 Community & Human Development Committee (CEHD) Report

4.4.1 Victor Valley Redevelopment Agency Housing Setaside Review

Councilmember Robertson, Chair, reported that state law requires SCAG to review findings when a local redevelopment agency defers housing setaside funds as has been requested by the Victor Valley Economic Development Agency. She stated the CEHD Committee recommended that the Regional Council adopt Resolution 04-453-2 approving the findings in deferring housing setaside funds.

It was MOVED (Robertson), SECONDED (Brown) and UNANIMOUSLY APPROVED to waive reading and adopt Resolution 04-453-2.

4.5 Communication Task Force Report

4.5.1 Revised Communications Strategy

Councilmember McCarthy reported that the Communications Task Force reviewed the revised Communications Strategy. The strategy ensures that key messages, target audiences and major SCAG initiatives reflect organizational objectives. The revisions focused on a more integrated communications program. Environmental justice groups, Native American Tribal Councils, county transportation commissions, subregions and trade

associations have specifically been added to the list of target audiences. He stated that the Communications Task Force recommended approval of the revised Communications Strategy

It was MOVED (McCarthy) SECONDED (Proo) and UNANIMOUSLY APPROVED.

5.0 INFORMATION ITEMS

5.1 Monthly Financial Report

Heather Copp, CFO, stated that the June report as well as August was included in the agenda. She also reported that SCAG has a positive cash flow.

5.2 Report on Professional Pathways

Debbie Dillon, Human Resources, presented a power point on Professional Pathways. Basically the program provides for interim replacements for incumbent Executive Management, opportunities to develop internal candidates so they are competitive for future vacancies, specific rotational and/developmental assignments to address the technical, administrative and leadership needs of the organization.

5.3 Federal & State Legislative Update

Don Rhodes, Manager, Government Affairs, presented a brief report on the following items:

Reauthorization of TEA-21 & Federal Appropriations

He reported that another two-month extension of TEA-21 is expected prior to the congressional recess. The FY05 Appropriations bill for transportation is expected to be folded into an Omnibus Appropriations Act, as has been done in recent years. SCAG continues to advocate for a higher rate of return to the state in the reauthorization measure, among other issues, and for the Regional Consensus projects in the appropriations bill.

Innovative Financing & Project Delivery

Also at both state and federal levels, SCAG is pursuing legislation to facilitate the use of private financing and expedited project delivery for regional transportation projects, which is germane to SCAG's need for innovative financing as proposed in the Regional Transportation Plan (RTP). Experts in federal tax financing have drafted language for SCAG on Transportation Infrastructure Finance Initiative Act (TIFIA) and tax credit financing; SCAG's Washington representatives are advocating for inclusion of the language in the reauthorization of TEA-21 or S. 1637 (Grassley). SCAG's Sacramento representatives are working on the Regional Investment in Goods Movement, Highways, and Transit Act (RIGHT).

The RIGHT proposal is expected to be part of the discussion of a conference committee expected when SB 1210 (Torlakson), SB 1793 (McPherson) and AB 3048 (Oropeza) are finalized in a joint conference.

Tribal Gaming Compacts & Prop 68 & 70

There are two ballot initiatives on tribal gaming. Propositions 68 and 70 are drafted in a way that, if passed by voters, will void Governor Schwarzenegger's signed compact with the Indian tribes. Transportation stakeholders are concerned about the possibility the signed compact will be negated because its proceeds are to be used to repay amounts borrowed in recent years from dedicated transportation funds to bolster the General Fund. Propositions 68 and 70 do not backfill transportation funds and may merit further consideration by the Regional Council this summer.

MTA noted their opposition to the Right Bill. OCTA staff noted they had concerns as well.

6.0 FUTURE AGENDA ITEMS

Councilmember Washburn requested that financing strategies for local governments be agendized within the next 3-6 months. There was also a request that policies regarding supporting events be presented to the Regional Council.

7.0 LEGAL COUNSEL REPORT

7.1 Closed Session

It was MOVED (Perry), SECONDED (Dixon) and UNANIMOUSLY APPROVED enter into closed session.

The Regional Council reconvened. In open session.

- SCAG v. HCD & BT&H
Conference with Legal Counsel - existing litigation to be heard in closed session in pursuant to California Government Code Section §54956.9(a)
A report was given but no action was taken.
- HDR Appeal
Conference with Legal Counsel – anticipated litigation
Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9
(one potential case)
No report was given in closed session.

- Morrison v. SCAG
Conference with Legal Counsel Government Code
section 54956.9(a) Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066
No report was given in closed session.

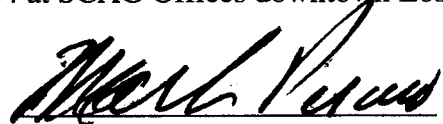
9.0 ANNOUNCEMENTS

There were no announcements at this time.

10.0 ADJOURNMENT

The meeting was adjourned in memory of Joanne Freilich, a past employee of SCAG and former Director of UCLA Extension Public Policy Program.

The next meeting is scheduled for September 2, 2004 at SCAG Offices downtown Los Angeles.


Mark Pisano, Executive Director